

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

(1) In the Matters of	Filed on “Lead” Call Signs**
All FCC Licenses** of: Telesaurus Holdings GB LLC (THL) Verde Systems LLC (VSL) Environmental LLC (ENL) Environmental LLC-2 (ENL2) Intelligent Transportation...LLC* (ITL) V2G LLC (V2G)** Skybridge Spectrum Foundation (SSF)** (these 7 together, the “Entities”)	THL WPOJ876 VSL WPOJ521 ENL WQCP810 ENL2 WQNZ336 ITL WQER215 V2G WQMU210 SSF WQHU548 (together, the “Licenses”)
(2) In the Matters of	
All FCC licenses issued to: Maritime Communications/ Land Mobile LLC; and its successors in interest, the various “Choctaw” entities	WQGF315, WQGF316 ,WQGF317, WQGF318, WRAP933, WRAP934, WRAP935, WRAP936
(3) In matters ‘(1)’ and ‘(2)’ above	Dockets: 11-71 and 13-85

NOTICE OF APPOINTMENT OF GUARDIAN AD LITEM (CHERYL CHOY) FOR
REAL PARTY IN INTEREST AND DE FACTO CONTROL IN THE RECEIVERSHIP
COURT CASE OF THE 7 ‘ENTITIES’, ARNOLD LEONG, AND RELATED MATTERS

To: Office of the Secretary. Filed on ULS and ECFS
Attn: Chief, Wireless Telecommunications Bureau

Warren Havens, and
Polaris PNT Group
(Contact information on last page)

November 14, 2019

** “Lead Call Sign” method: on ULS: Licenses, sorted by Call Sign, descending: first one listed: (i) active licenses selected *except* for SSF and V2G, where all licenses were selected to thus include the terminated licenses, since Petitioners seek to reinstate these.

* Full name: Intelligent Transportation & Monitoring Wireless LLC (“ITL” for short).

INTRODUCTION

This is submitted by Warren Havens (the writer here) for his own interests and for the interests each of the Polaris PNT Group legal entities defined in the execution block below. I am the controlling owner of each of the Polaris entities. In prior FCC filings in the captioned matters, I described the Polaris entities. I provide below a *Declaration* in support.

RELEVANT NEW INFORMATION

See Exhibit 1 hereto. This is an ex parte application to appoint, signed by the Judge to constitute an Order appointing, Cheryl Choy, without appearing, to become Guardian Ad Litem (“GAL”) for Arnold Leong in the California Superior Court emergency “receivership pendente lite” case on an alleged FCC emergency apparently deemed perpetual. I have no relation with Ms. Choy. Mr. Leong was the sole person who sought, obtained, and maintained the receivership.¹

This application and Order is on the Form CIV-010, a California Judicial Council mandatory form, that commences:

"NOTE: ...An individual cannot act as a guardian ad litem unless he or she is represented by an attorney or is an attorney."

Ms. Choy is not an attorney,² and to date, after months, has no representative attorney in the court case. Thus to date she has not meet the requirements stated in the GAL Order.

In addition, she has not submitted in this court case required contact information for service of documents to or from her; and she has not appeared in person at any hearing. In addition, she has not stated and given proof of the *date of* or other basic details of the alleged incapacitation.³ Under California law, from the *date of* the legal capitation, the incapacitated plaintiff's case -- here split among California Superior and Appeal courts cases, private arbitration proceedings, cases in the

¹

² Shown by review of the California Bar Association records. Also, not stated on this Application.

³ See Exhibit 1: no such details (p. 6 only alleges “earlier this year”). For this and other reasons, I timely appealed the Order appointing her as GAL to the California Court of Appeal.

Ninth Circuit US Circuit Court of Appeals, a bankruptcy proceeding now pending in US District Court, Delaware, and FCC proceedings) (together herein, the “Case”) -- must be handled by a qualified GAL via a representative attorney at law for the GAL, or by a GAL who is an attorney at law, and counsel to the ward are automatically terminated on the date of the legal incapacitation.

While I have written to the GAL, Cheryl Choy, and provided to her various legal service of documents in the case, she has not explained to me if and when she will get an attorney to represent her as GAL as required (see above) and proceed with the plaintiff's Case in any of these forums.

In this Case, I reserve rights on above matters in the noted court and arbitration proceedings. I hereby do the same in the FCC-proceedings aspect of the Case.

Respectfully submitted,

/s/

Warren Havens

Individually,

And for Polaris PNT PBC; Polaris PNT 1, PB LLC;
Polaris PNT 2, PB LLC; Polaris PNT 3, PB LLC
(the “Polaris PNT Group”)

2649 Benvenue Avenue
Berkeley CA 94704
(510) 914 0910

November 14, 2019

DECLARATION

I declare under penalty of perjury that the foregoing filing was prepared pursuant to my direction and control and the factual statements therein known by me are true and correct, and the exhibit hereto is a true and correct copy.

/s/

Warren Havens

November 14, 2019

EXHIBIT 1



22278224

<p>ATTORNEY (Name, State Bar number, and address): Richard Osman SBN: 167993 BERTRAND, FOX, ELLIOT, OSMAN & WENZEL 2749 Hyde Street SAN FRANCISCO, CA 94109 TELEPHONE NO.: (415) 353-0999 FAX NO. (Optional): (415) 353-0990 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiff ARNOLD LEONG</p>	<p>FOR COURT USE ONLY</p> <p style="font-size: 2em; font-weight: bold;">FILED</p> <p>ALAMEDA COUNTY</p> <p>SEP 09 2019</p> <p>CLERK OF THE SUPERIOR COURT</p> <p>By Deputy</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA STREET ADDRESS: 1225 Fallon St. MAILING ADDRESS: 1225 Fallon St. CITY AND ZIP CODE: Oakland, 94612 BRANCH NAME: Rene C. Davidson Alameda County Courthouse</p>	<p>PLAINTIFF/PETITIONER: ARNOLD LEONG</p> <p>DEFENDANT/RESPONDENT: WARREN HAVENS, et al.</p>
<p>APPLICATION AND ORDER FOR APPOINTMENT OF GUARDIAN AD LITEM—CIVIL</p> <p><input checked="" type="checkbox"/> EX PARTE</p>	<p>CASE NUMBER: UNREDACTED 2002-070640</p>
<p>NOTE: This form is for use in civil proceedings in which a party is a minor, an incapacitated person, or a person for whom a conservator has been appointed. A party who seeks the appointment of a guardian ad litem in a family law or juvenile proceeding should use form FL-935. A party who seeks the appointment of a guardian ad litem in a probate proceeding should use form DE-350/GC-100. An individual cannot act as a guardian ad litem unless he or she is represented by an attorney or is an attorney.</p>	

1. Applicant (name): _____ is
 - a. ☐ the parent of (name): _____
 - b. ☐ the guardian of (name): _____
 - c. ☐ the conservator of (name): _____
 - d. ☒ a party to the suit.
 - e. ☐ the minor to be represented (if the minor is 14 years of age or older).
 - f. ☐ another interested person (specify capacity): _____

2. This application seeks the appointment of the following person as guardian ad litem (state name, address, and telephone number):
 Cheryl Choy _____ ph: 415-353-0999
 2749 Hyde Street, San Francisco, California 94109

3. The guardian ad litem is to represent the interests of the following person (state name, address, and telephone number):
 Arnold Leong _____ ph: _____
 3111 Green River Dr., Reno, Nevada 89503

4. The person to be represented is:
 - a. ☐ a minor (date of birth): _____
 - b. ☒ an incompetent person.
 - c. ☐ a person for whom a conservator has been appointed.

5. The court should appoint a guardian ad litem because:
 - a. ☒ the person named in item 3 has a cause or causes of action on which suit should be brought (describe):
 There is an ongoing receivership in this matter. Further, the arbitrator in this matter issued a Memorandum of Decision on August 28, 2019. A final award should issue within 30 days from November 11, 2019 and will need to be confirmed.

☐ Continued on Attachment 5a.

PLAINTIFF/PETITIONER: ARNOLD LEONG	CASE NUMBER:
DEFENDANT/RESPONDENT: WARREN HAVENS, et al.	2002-070640

5. b. ☒ more than 10 days have elapsed since the summons in the above-entitled matter was served on the person named in item 3, and no application for the appointment of a guardian ad litem has been made by the person identified in item 3 or any other person.
- c. ☒ the person named in item 3 has no guardian or conservator of his or her estate.
- d. ☒ the appointment of a guardian ad litem is necessary for the following reasons (*specify*):

☒ Continued on Attachment 5d.

6. The proposed guardian ad litem's relationship to the person he or she will be representing is:
- a. ☒ related (*state relationship*): **Sister**
- b. ☐ not related (*specify capacity*):
7. The proposed guardian ad litem is fully competent and qualified to understand and protect the rights of the person he or she will represent and has no interests adverse to the interests of that person. (*If there are any issues of competency or qualification or any possible adverse interests, describe and explain why the proposed guardian should nevertheless be appointed*):

☐ Continued on Attachment 7.

Richard W. Osman

(TYPE OR PRINT NAME)


(SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT)

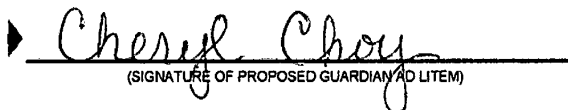
CONSENT TO ACT AS GUARDIAN AD LITEM

I consent to the appointment as guardian ad litem under the above petition.

Date: September 5, 2019

Cheryl Choy

(TYPE OR PRINT NAME)

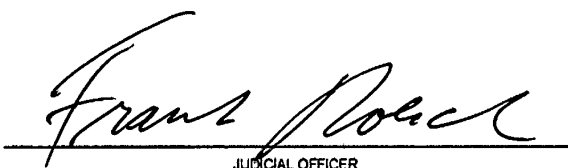

(SIGNATURE OF PROPOSED GUARDIAN AD LITEM)

ORDER ☒ EX PARTE

THE COURT FINDS that it is reasonable and necessary to appoint a guardian ad litem for the person named in item 3 of the application, as requested.

THE COURT ORDERS that (name): **Cheryl Choy**
is hereby appointed as the guardian ad litem for (name):
for the reasons set forth in item 5 of the application.

Date: **9/9/2019**


JUDICIAL OFFICER

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

1 Paul F. Kirsch SBN 127446
2 THE LAW OFFICES OF PAUL F. KIRSCH, P.C.
3 1970 Broadway, Ste 700
4 Oakland, CA 94612-2219
5 Telephone: (510) 390-8900

6 Richard W. Osman SBN 167993
7 BERTRAND, FOX, ELLIOT, OSMAN & WENZEL
8 2749 Hyde Street
9 San Francisco, CA 94109
10 Telephone: 415-353-0999
11 Facsimile: 415-353-0990

12 Attorneys for Plaintiff
13 ARNOLD LEONG

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF ALAMEDA

ARNOLD LEONG,

Plaintiff,

v.

WARREN HAVENS, an individual, VERDE
SYSTEMS LLC, and TELESARUS
HOLDINGS GB, LLC,

Defendants.

Case No. 2002-070640

ASSIGNED FOR ALL PURPOSES TO
Hon. Frank Roesch
Dept. 17

**DECLARATION OF CHERYL CHOY IN
SUPPORT OF PLAINTIFF ARNOLD LEONG'S
APPLICATION FOR APPOINTMENT OF
GUARDIAN AD LITEM**

UNREDACTED

SHORT TITLE:

LEONG v. HAVENS

CASE NUMBER:

2002-070640

ATTACHMENT (Number): 5d*(This Attachment may be used with any Judicial Council form.)*

The appointment of a guardian ad litem is necessary because plaintiff LEONG lacks the capacity to understand the nature or consequences of the proceeding, and is unable to assist counsel in the preparation of the case. This is supported by the declaration of Cheryl Choy, attached hereto, and a letter from Dr. Jane Bonacich, attached as Exhibit A to the declaration of Cheryl Choy.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 1 of 1*(Add pages as required)*

1 I, Cheryl Choy, declare as follows:

2 1. I am Arnold Leong's sister. As such, I have personal knowledge of the facts and
3 circumstances surrounding this matter and could, if called, competently testify thereto.

4 2. During a recent trip to China, Arnold Leong suffered a severe stroke. He was later
5 transported to California where he was cared for at Kaiser Hospital in Vallejo. As a result of the stroke,
6 Arnold's right side remains paralyzed and he is unable to speak or communicate. Although Arnold
7 continues to undergo physical and speech therapy, it is unclear to what extent his condition will change.


8 3. Attached hereto as **Exhibit A** is a letter dated August 27, 2019 from Dr. Bonacich of
9 Kaiser Permanente in Richmond, California that details Arnold's lack of capacity to act in this matter for
10 himself.

11 4. Following Arnold's stroke, all adult members of his family (his wife, who does not speak
12 English, and his sons) designated me to be in charge of Arnold's medical and business affairs. This is
13 consistent with what they and I believed was Arnold's desire based on his previous statements and by
14 certain written trusts which named me as the trustee over certain of his own property. I have therefore
15 taken on these responsibilities.

16 5. I have provided notice of my intent to act as guardian ad litem for Arnold in this matter to
17 Arnold's adult family members, including his wife and his three adult sons and nobody objected.

18 I declare under penalty of perjury under the laws of the State of California that the foregoing is
19 true and correct.

20 Executed this 4th day of September, 2019 in Sacramento, California.

21
22 
23 CHERYL CHOY
24
25
26
27
28

The Permanente Medical Group, Inc.

INTERNAL MEDICINE DEPARTMENT

901 Nevin Avenue

Richmond CA 94801-3143

Dept: 510-307-1555

Main: 510-307-1500

August 27, 2019

Re: Arnold C Leong
2114 Hillcrest Rd
San Pablo CA 94806-4165

To Whom It May Concern,

Mr. Leong suffered a large stroke earlier this year, which has severely affected his cognitive skills. He lacks capacity to make financial, business, or medical decisions on his own behalf. He is also not able to participate in court trials or arbitration.

Sincerely,

Sincerely,



JANE BONACICH MD

CERTIFICATE OF SERVICE

I, Warren C. Havens, certify that I have, on November 14, 2019:^[*]

Caused to be served, by placing into the USPS mail system with first-class postage affixed unless otherwise noted below, a copy of the foregoing filing, including exhibits, to the following:

Cheryl Choy, Guardian for
Arnold Leong
3111 Green River Dr
Reno, NV 89503

Brian Weimer, Esq.
Sheppard Mullin Richter & Hampton LLP
2099 Pennsylvania Ave., N.W., Suite 100
Washington, DC 20006
(Counsel to Susan Uecker, Receiver)

Wilkinson Barker Knauer, LLP
ATTN Mary N. O'Connor
1800 M Street, NW, Suite 800N
Washington, DC 20036
(Counsel to Choctaw)

Robert J. Keller
Law Offices of Robert J. Keller, P.C.
P.O. Box 33428
Washington, DC 20033-0428
(Counsel to MCLM/ MCLM DIP)

/s/

Warren Havens

^[*] The mailed service copies being placed into a USPS drop-box today may be after business hours and thus may not be processed and postmarked by the USPS until the next business day.